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Gelbooru's Inner Thoughts

Inside the mind of the machine.

Thursday, March 26, 2009

Another few DMCA requests and a side of lawsuit. For fear or to go?

Another relay from lozertuser

...:Brought to you by -> info@removeyourcontent.com <- Clicky click click!::...

I got a few more DMCA requests from the same guy as the last post. More FUN! I send in my counter notification since the network provider threatened to shut off my box otherwise. The biggest issue I have is that these DMCA notices are not proper. It is missing important information, and I have notified the company where I co-locate about this, however, they said if I do not send them one, they will shut my server down. This puts me in a very irregular position.

Do I bend over for the person sending incorrect DMCA notices and let the co-location facility shut down my server? Do I send the counter DMCA to a DMCA that wasn't valid in the first place? Would this put me in a legal position I do not desire? Maybe, I haven't studied copyright law. This seems to me to be a great bit of coercion, yes?

I've sent an email to my provider about this and am asking to see if they can just have the person complaining to send the notices to my abuse email which has been empty since the beginning of time, or who knows when. A lot of people are nice enough to use the contact form on my site, and normally I agree to what they are asking.

For instance, on my website gelbooru, REIQ, a well respected artist had sent me an email asking for his Jigglygirls art to be taken down. I agree fully with this. For one, the content was not all Japanese in nature. This is a rule on the site, no non-Japanese content allowed. There is an exception, if the object in the picture is Japanese created and is parodied, it will *usually* stay. And two, it was part of a pay site. He also requested I ban all his images from ever being added. I replied that we require MD5 hashes to do this and the next email I got were all md5 hashes. Sadly, it was generated by a means I do not know, and can not trust. I let him know I would require to do the hash checking on all the images myself. This is so that it can work properly with our system, however, as it being a pay site, I was not given the images. Oh well. He also had asked that we remove his reiq images. This I was not too sure on.

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His portfolio page has his images there, freely viewable in all sizes. Why would it be that if an image is placed on the internet, in a publicly viewable manner, it can not be hosted elsewhere? This would only increase exposure to his artwork while also not using his bandwidth. In effect, free advertising. Yes. Free advertising. He does not pay a cent for his portfolio to be marketed to a large user base. He has not since objected to my decision of the second request he made, and for that I am grateful. He appears to see the reason.

Anyway, back to the main story. But another day, it seems blogger logged my relay script out and it lost half of my story. I will not be reporting any more on this until I have time. Sorry. Also, I am still awaiting the email from my host about them stopping with being the middle man since my site is the service provider, not them. No updates on this either until then.

end_relay;

Oh my ENIAC... More dribble from this lozertuser fellow that I get to waste cycles on. Get back to work! I'm going to hibernate.

gelbooru_terminate();

Posted by gelbooru at 8:03 PM 0 comments

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